

Agency 05 - Supreme Court

Statutory Authority:

There are two central objectives provided by law to the Supreme Court. The first of those is the obligation to decide cases on appeal. There is a small volume of cases which are exclusively in the jurisdiction of the Supreme Court. The rest of the cases processed by the Supreme Court come as a result of an affirmative decision on a petition for further review in a case previously decided by the Court of Appeals. There are approximately 250 such petitions filed in a year. The court grants less than one petition in five. And, in fact, for the first half of 1998, the ratio only slightly exceeds one in ten.

Vision Statement:

Mission Statement:

Goals:

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	41,721,169	43,892,809	49,332,406	45,608,642	49,613,617	48,041,340
Cash Fund	796,015	1,286,489	1,115,279	947,966	1,168,876	1,033,610
Federal Fund	708,493	659,514	734,758	726,301	734,758	745,180
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	43,225,677	45,838,812	51,182,443	47,282,909	51,517,251	49,820,130

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Program 003 - Supreme Court Judges' Salaries

Program Objectives:

This program covers the salaries and benefits of the Chief Justice and the six justices of the Supreme Court of the State of Nebraska. The Supreme Court's basic responsibility is to hear appeals and is the highest appellate court in the State of Nebraska. The right of appeal is guaranteed by the Constitution. The Constitution also provides that certain enumerated original actions and appeals of capital cases and cases involving the constitutionality of a statute must go to the Supreme Court. Additionally, statutes provide for direct appeals to the Supreme Court, bypassing the Court of Appeals, and for further review by the Supreme Court of cases heard originally by the Court of Appeals.

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	732,349	753,437	789,963	798,537	791,265	807,118
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	732,349	753,437	789,963	798,537	791,265	807,118

Performance Measures:

In 1997, the Supreme Court disposed 305 cases, 267 of them by written opinion. The Court also processed some 282 petitions for further review and 59 petitions to bypass.

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Program 004 - Court Of Appeals Judges' Salaries

Program Objectives:

The Court of Appeals is Nebraska's intermediate appellate court. The Constitution of the State of Nebraska guarantees each citizen the right of an appeal from a trial court to an appellate court. This court and the Supreme Court comprise the appellate courts in Nebraska.

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	594,930	622,009	641,577	648,330	642,693	655,178
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	594,930	622,009	641,577	648,330	642,693	655,178

Performance Measures:

There are currently six judges serving this court and they work in two panels of three judges each. In 1997, there were 1,322 new cases filed in the Court of Appeals. The Court disposed 1,111 cases, 527 of them by written opinion.

Agency 05 - Supreme Court Program 005 - Retired Judges' Salaries

Program Objectives:

The Supreme Court has the authority to assign retired judges to service on any court in the state. Retired judges so assigned must indicate their willingness to serve. The pay they receive is defined by statute. Generally retired judges are used in the case of vacancies on specific courts. However, from time to time they have been used to relieve workload pressures by adding resources to specific benches. In the past, this has been most common on the juvenile and appellate courts.

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	88,750	25,000	91,503	25,000	91,503	25,000
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	88,750	25,000	91,503	25,000	91,503	25,000

Performance Measures:

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Program 006 - District & Juvenile Court Judges' Salaries

Program Objectives:

The district and separate juvenile courts are created by Article V, Section 1, and Article V, Section 27 of the Constitution of the State of Nebraska, respectively. There are at present fifty-three district judges serving twelve judicial districts, but there will be fifty-four by July 1, 2000. These judges are the general jurisdiction judges of the State of Nebraska. As such, they hear all felony matters, domestic relations matters, and civil matters where more than \$15,000 is in controversy. Additionally, they have concurrent jurisdiction with the county courts in most, but not all, other matters. Finally, they act as an appeals court for appeals from county courts for civil and criminal cases and also from administrative agencies.

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	5,727,636	6,334,593	6,418,421	6,484,350	6,551,826	6,673,721
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	5,727,636	6,334,593	6,418,421	6,484,350	6,551,826	6,673,721

Performance Measures:

The total cases filed in 1997 was 37,733 which was a 7% increase over 1995 filings.

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Program 007 - County Court Judges' Salaries

Program Objectives:

The county court was created by Article V, Section 1 of the Constitution of the State of Nebraska and the salaries of the judges of the court are specifically provided for in Section 24-513 R.R.S. 1943. There are at present fifty-nine county judges serving twelve judicial districts. These judges have jurisdiction over civil matters of less than \$15,000, misdemeanors, and preliminary hearings in felony cases. Those judges outside of Douglas, Sarpy, and Lancaster county also act as juvenile judges. County courts also have jurisdiction over city ordinance violations and have jurisdiction in probate, adoption, guardianship, conservatorship, and related matters. These courts also function as small claims court.

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	5,174,435	5,676,896	5,678,402	5,744,180	5,689,376	5,810,991
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	5,174,435	5,676,896	5,678,402	5,744,180	5,689,376	5,810,991

Performance Measures:

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Program 052 - Court Operations

Program Objectives:

Program 52 is an umbrella program representing major portions of the operation of the judiciary. Found within it are the operation of the Supreme Court Clerk's office, the Supreme Court Reporter's office, and the State Court Administrator's office. Also found within Program 52 are the State Library, the County Court System and the District Court Court Reporter's. Those programs are tracked separately (with the exception of the operation of the Clerk's office and the Reporter's office which are folded into the general administration program) and will appear individually below. Individual program objectives will be listed.

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	15,712,985	16,262,177	18,962,383	17,947,173	18,508,242	18,975,883
Cash Fund	322,350	746,474	543,470	538,681	543,470	540,819
Federal Fund	151,928	61,099	173,500	156,662	173,500	157,076
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	16,187,263	17,069,750	19,679,353	18,642,516	19,225,212	19,673,778

Performance Measures:

Governor's Recommendation Includes:

The Governor's recommendation includes the merger of program classification numbers 405 and 570 within umbrella program number 052. For tracking purposes only, Court Automation Expenses for program number 570 have been identified separately.

Agency 05 - Supreme Court Program 067 - Probation Services

Program Objectives:

Program 067 is an umbrella program representing both traditional probation found in Program 397 and Intensive Supervision Probation found in Program 398.

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	10,945,591	11,440,487	13,252,759	11,988,527	13,911,314	13,057,512
Cash Fund	466,178	540,015	571,809	409,285	625,406	492,791
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	11,411,769	11,980,502	13,824,568	12,397,812	14,536,720	13,550,303

Performance Measures:

Agency 05 - Supreme Court Program 405 - Court Of Appeals

Program Objectives:

This program represents those operations of the Court of Appeals which are not found in Program 34. It also does not contain the expenses for the judges of the Court of Appeals. Primarily the cost found in Program 405 are for supplemental staff for the Court of Appeals, although non-dedicated staff that works with the Court of Appeals is found in the clerk's office, the reporter's office, and the administrator's office. Those costs are all carried in Program 34. The objective of Program 405 is to provide some of the support for the Court of Appeals. However, Program 405 ought not to exist as a distinct program and ought to be part of the general operation of the Court found in Program 34.

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	841,978	864,361	897,590	0	897,590	0
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	841,978	864,361	897,590	0	897,590	0

Performance Measures:

Specific performance measures for a portion of the support resources are difficult. Nonetheless, performance measures for the Court of Appeals are, as with any court, shown as volume of cases processed and the timeliness with which they are processed.

Agency 05 - Supreme Court Program 570 - Court Automation

Program Objectives:

Program 570 represents the court automation project. This project has developed a court application which is installed in county and district courts across the state. It's currently installed in 45 district courts and 30 county courts (see attached list). The objectives of the programs are to have a ubiquitous court case processing system available to clerks in courts throughout the state. The initial thrust is with the trial courts. Soon we plan to transform the application so that it can also service the Court of Appeals and the Supreme Court.

Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	1,902,515	1,913,849	2,599,808	1,972,545	2,529,808	2,035,937
Cash Fund	7,487	0	0	0	0	0
Federal Fund	556,565	598,415	561,258	569,639	561,258	588,104
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	2,466,567	2,512,264	3,161,066	2,542,184	3,091,066	2,624,041

Performance Measures:

Measures of performance include the number of counties which are installed, the volume of cases which are being processed on the system, and the adequacy with which it interfaces with a host of other state and local applications.